

Edwards & Angell LLP

101 Federal Street Boston, MA 02110 617.439.1114 fax 617.439.4170
www.EdwardsAngell.com

CENTRAL FAX CENTER

APR 26 2004

OFFICIAL

Date : April 24, 2004

From : John B. Alexander, Ph.D.

Fax : (617) 439-4170

Direct : (617) 517-5555

To : Group 1600
U.S. Trademark & Patent Office

Fax : (703) 872-9306

Direct :

Pages : 14

(including cover sheet)

If you received a partial delivery, please call John B. Alexander at (617) 517-5555.

Re : USSN: 09/424,347
49429 (71526)

Kindly enter the attached amendment.

Fax

Confidentiality Note : The documents accompanying this facsimile contain information from the law firm of Edwards & Angell, LLP, which may be confidential and/or privileged. The information is intended for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile is strictly prohibited, and that the documents should be returned to this firm immediately. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

PATENT

Practitioner's Docket No. 49429 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Endou et al.
Serial No.: 09/424,347
Filed: July 18, 2000
For: ORGANIC ANION TRANSPORTER AND GENE CODING FOR THE SAME

GROUP: 1646
EXAMINER: J. Murphy

**Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Request for Reconsideration for this application.

STATUS

2. Applicant is
 a small entity. A statement:
 is attached.
 was already filed.
 other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

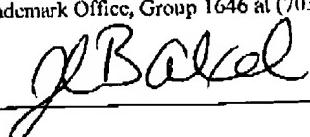
- deposited with the United States Postal Service with sufficient postage by First Class Mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

Date April 24, 2004

FACSIMILE

- transmitted by facsimile to the Patent and Trademark Office, Group 1646 at (703) 872-9306.

Signature


John B. Alexander, Ph.D.
(Type or print name of person certifying)

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

- (a) Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
[X] one month	\$ 110.00	\$ 55.00
[] two months	\$ 410.00	\$ 205.00
[] three months	\$ 930.00	\$ 465.00
[] four months	\$ 1,450.00	\$ 725.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY			OR	OTHER THAN A SMALL ENTITY	
		Present Extra	Rate	Addit. Fee		Rate	Addit. Fee
Claims Remaining After Amendment	Highest No. Previously Paid For		\$9.00	\$0.00		\$18.00	\$0.00
	Independent Claims		\$42.00	\$0.00		\$84.00	\$0.00
	First Presentation of Multiple Dependent Claim+		\$140.00	\$0.00		\$280.00	\$0.00
					Total Addit. Fee		\$0.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
- ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- **** If the "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).*

(complete (c) or (d), as applicable)

(c) No additional fee for claims is required.

OR

(d) Total additional fee for claims required \$ _____.
FEE PAYMENT

5. Attached is a check in the sum of \$ _____.
 Charge Account No. 04-1105 the sum of \$ 110.00 _____.
 A duplicate of this transmittal is attached.

FEE DEFICIENCY

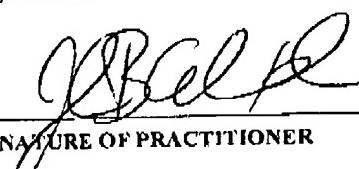
NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- If any additional fee for claims is required, charge Account No. 04-1105.

Date: April 24, 2004


SIGNATURE OF PRACTITIONER

John B. Alexander, Ph.D. (Reg. No. 48,399)
(type or print name of practitioner)

EDWARDS & ANGELL, LLP
Dike, Bronstein, Roberts & Cushman
Intellectual Property Group
P.O Box 55874
Boston, MA 02205
Tel. No. (617) 439-4444

Customer No. 21874

BOS2_442373.1

COPY

PATENT

Practitioner's Docket No. 49429 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Endou et al.
Serial No.: 09/424,347
Filed: July 18, 2000
For: ORGANIC ANION TRANSPORTER AND GENE CODING FOR THE SAME

GROUP: 1646
EXAMINER: J. Murphy

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

- Transmitted herewith is a Request for Reconsideration for this application.

STATUS

- Applicant is
 - [] a small entity. A statement:
 - [] is attached.
 - [] was already filed.
 - [X] other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

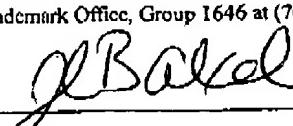
MAILING

- [] deposited with the United States Postal Service with sufficient postage by First Class Mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

Date April 24, 2004

FACSIMILE

- [X] transmitted by facsimile to the Patent and Trademark Office, Group 1646 at (703) 872-9306 .

Signature 

John B. Alexander, Ph.D.
(type or print name of person certifying)

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

- (a) Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
[X] one month	\$ 110.00	\$ 55.00
[] two months	\$ 410.00	\$ 205.00
[] three months	\$ 930.00	\$ 465.00
[] four months	\$ 1,450.00	\$ 725.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- [] An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) [] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY			OR	OTHER THAN A SMALL ENTITY	
		Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra		Rate	Addit. Fee
					\$9.00	\$0.00	\$18.00
	Independent Claims				\$42.00	\$0.00	\$84.00
	First Presentation of Multiple Dependent Claim+				\$140.00	\$0.00	\$280.00
						Total Addit. Fee	\$0.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
- ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).*

(complete (c) or (d), as applicable)

(c) No additional fee for claims is required.

OR

(d) Total additional fee for claims required \$ _____.
FEE PAYMENT

5. Attached is a check in the sum of \$ _____.
 Charge Account No. 04-1105 the sum of \$ 110.00 _____.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

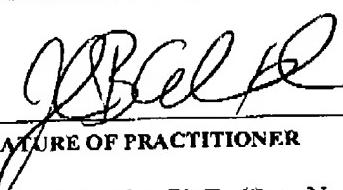
NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- If any additional fee for claims is required, charge Account No. 04-1105.

Date: April 24, 2004



SIGNATURE OF PRACTITIONER

John B. Alexander, Ph.D. (Reg. No. 48,399)
(type or print name of practitioner)

EDWARDS & ANGELL, LLP
Dike, Bronstein, Roberts & Cushman
Intellectual Property Group
P.O Box 55874
Boston, MA 02205
Tel. No. (617) 439-4444

Customer No. 21874

BOS2_442373.1

Docket No. 49429 (71526)

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 26 2004

OFFICIAL

Applicants: Endou et al.

GROUP: 1646

Serial No.: 09/424,347

EXAMINER: J. Murphy

Filed: July 18, 2000

For: ORGANIC ANION TRANSPORTER AND GENE CODING FOR THE SAME

**Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

AMENDMENT

Applicants are in receipt of the Office Action dated December 29, 2003 and request reconsideration of the above-identified application in view of the following amendments and remarks. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.